



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. Serial No.: 10/799,462

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096429/9143)

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Group Art Unit: 1654

Applicant(s): DePablo et al.

Examiner: Lukton, David

Title: **LYOPHILIZATION OF HUMAN PLATELETS**

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

Mail Stop: Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

To the Commissioner:

In response to the Restriction Requirement dated July 29, 2005, the time period for response set to expire September 29, 2005 by virtue of the Petition for One-Month Extension of Time filed herewith, Applicants provisionally elect, **with traverse**, the claims of Group IV, Claims 31-33.

In response to the Election of Species Requirement, Applicants elect, for examination purposes only and **with traverse**, an aqueous preservation medium comprising trehalose, wherein the concentration of polyhydroxy compound in the medium is 45 mM and the concentration of phosphate ions in the medium is 45 mM. Claims 31-33 are readable thereon.

REMARKS

Restriction Requirement

Restriction is proper only if the restricted claims are independent or patentably distinct **and** there is no serious burden placed on the Examiner if restriction is not required (MPEP §803). The burden is on the Examiner to provide reasons and/or examples to support any conclusion of patentable distinctness between the restricted claims (MPEP